

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: ROSEMARIE CAROLINE TOMKO
AKA: ROSEMARIE TOMKO,
ROSEMARIE C. TOMKO

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

CASE NO: 5-19-04285-RNO

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on October 21, 2019, Charles DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on October 3, 2019.
- 2) The Debtor has not filed the following items or a motion for extension of time to file same pursuant to F.R.B.P. 1007(c).
 - **Form 122C-1 CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD**
 - **Form 122C-2 CHAPTER 13 CALCULATION OF YOUR DISPOSABLE INCOME**
 - **CHAPTER 13 PLAN**
- 3) If upon receipt of this Motion and the Notice, Debtors file the missing documents on or before the response date specified on said notice, the Motion shall be deemed withdrawn and moot.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Respectfully submitted,
s/ Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

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CHAPTER 13

CASE NO: 5-19-04285-RNO

NOTICE

The debtor(s) filed a Chapter13 Bankruptcy Petition on October 3, 2019.

The Standing Chapter 13 Trustee, Charles J. DeHart, III, has filed a Motion to Dismiss for failure to file the indicated document(s) below:

- **Form 122C-1 CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME
AND CALCULATION OF COMMITMENT PERIOD**
- **Form 122C-2 CHAPTER 13 CALCULATION OF YOUR DISPOSABLE INCOME**
- **CHAPTER 13 PLAN**

A hearing with the Court has been scheduled for:

Date: November 22, 2019
Time: 09:30 AM
Location: U.S. Bankruptcy Court
Max Rosenn U.S. Courthouse
Courtroom #2
197 S. Main Street
Wilkes Barre, PA

Any objection/response to the Trustee's Motion to Dismiss must be filed and served on or before:
November 4, 2019. If Debtor(s) file the missing documents on or before the stated response date, the Motion shall be deemed withdrawn and moot.

Additionally, if you file and serve an objection/response within the time period, a hearing will be held on the above date. If you do not file an objection within the time permitted the Court will deem the motion unopposed and proceed to consider the Motion without further notice or hearing, and may grant the relief requested.

Respectfully submitted,
s/ Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

Dated: October 21, 2019

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: ROSEMARIE CAROLINE
TOMKO
AKA: ROSEMARIE TOMKO,
ROSEMARIE C. TOMKO

CHAPTER 13

Debtor(s)

CASE NO: 5-19-04285-RNO

CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on October 21, 2019, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1st Class mail, unless served electronically.

TULLIO DeLUCA, ESQUIRE
381 N 9TH AVENUE
SCRANTON, PA 18504-

Served electronically

United States Trustee
228 Walnut Street
Suite 1190
Harrisburg, PA 17101

Served electronically

ROSEMARIE CAROLINE TOMKO
126 WEBSTER AVE
WEST HAZLETON, PA 18202

Served by 1ST class mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: October 21, 2019

Vickie Williams
for Charles J. DeHart, III, Trustee
Suite A, 8125 Adams Dr.
Hummelstown, PA 17036
Phone: (717) 566-6097
Fax: (717) 566-8313
eMail: dehartstaff@pamd13trustee.com

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IN RE: ROSEMARIE CAROLINE TOMKO
AKA: ROSEMARIE TOMKO,
ROSEMARIE C. TOMKO

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE

Movant

CASE NO: 5-19-04285-RNO

vs.

ROSEMARIE CAROLINE TOMKO
AKA: ROSEMARIE TOMKO,
ROSEMARIE C. TOMKO

MOTION TO DISMISS

Respondent(s)

ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.